

## Instruction Sheet for Completing Nursery Stock Destruction Form

### 1. Authority:

**FAC 5321-22:** The director may enforce eradication action to prevent the spread of any pest not generally distributed within the state.

**FAC 5401, 5404:** Any premise, plant, or conveyance that is infected or infested with a pest is a public nuisance, and abatement measures can be implemented immediately.

**FAC 5421:** If the commissioner finds a premise, plant, conveyance, or other thing to be infected or infested with a pest, he may notify the owner in writing as such. He may then require the owner to destroy the pest within a time specified on the notice.

**FAC 5762-63:** Any premise, plant, or thing that is infested or infected or exposed to a pest for which an eradication area has been proclaimed is a public nuisance, and abatement through removal and destruction can be implemented.

**FAC 6461.5:** If any shipment of plants or other things enters this state, and is infested or infected, or there is reasonable cause to believe it may be infested or infected with a quarantine pest, the shipment shall be destroyed.

**FAC 6521, 6523-24:** If any shipment of nursery stock, or any host of any pest, enters a county from any other county within this state, and it is infested or infected, or there is reasonable cause to believe it may be infested or infected with a pest, then any part or all of the shipment that is infested or infected may be destroyed if there is no effective treatment.

### 2. Destruction: Voluntary, Mandatory or Uncertified

**Voluntary Destruction:** Establishment opts to destroy plants in lieu of treating plants when there is an approved treatment, or having plants remain on hold.

**Mandatory Destruction:** Certain quarantines require destruction of plants infested/infected with an actionable pest, or if there is reasonable cause to believe they might be infested/infected with an actionable pest; when there is no approved efficacious treatment and the infested/infected plant material poses too great a risk to ship out of state; plant material moved in violation of a state exterior or state interior quarantine.

**Uncertified Shipment:** Prohibited plant material from other states or countries; plant material from other states not meeting California state exterior quarantine requirements; plant material from within California not meeting state interior quarantine requirements.

### 3. Establishment Type

**Property Owner:** Private residence which has containerized plants for personal use or for sale.

**Landscaper:** Selling plants is not their primary business. Will purchase plants from Retail Nurseries and Wholesale Nurseries for planting in landscapes. May also remove plants from landscapes and place in a holding yard for later planting at a new landscape site. No propagation or upsizing plants into larger containers.

**Garden Center:** Selling plants is not their primary business. Purchases plants from wholesale nurseries and resells them to homeowners. No propagation or upsizing plants into larger containers.

**Retail Nursery:** Selling plants is their primary business. Purchases plants from wholesale nurseries and resells them to homeowners and landscapers. May upsize plants into larger containers. Rarely propagates plants.

**Wholesale Nursery:** Selling plants to Garden Centers, Retail Nurseries, and Landscapers is their primary business. May also purchase plants from other Wholesale Nurseries. Will also sell plants to other Wholesale Nurseries. Often propagates plants, and upsizes plants into larger containers.

**Production Nursery:** Any Retail Nursery or Wholesale Nursery which propagates plants and/or upsizes plants into larger containers.

### 4. Establishment Information:

Fill out this section completely, and print clearly to make sure it is legible.

## 5. Reason for Destruction:

**State Interior Quarantine:** Include CCR number and corresponding pest (ex: CCR 3434 Light Brown Apple Moth; CCR 3435 Asian Citrus Psyllid).

**State Exterior Quarantine:** Include CCR number and corresponding pest (ex: CCR 3250 Citrus Pests; CCR 3280 Japanese Beetle).

**Federal Foreign Quarantine:** Include CFR and corresponding pest (ex. CFR 301.32 Fruit Flies)

**Federal Domestic Quarantine:** Include CFR number and corresponding pest (ex. CFR 301.52 Asian Longhorned Beetle)

**Other:** Explain reason for destruction if it does not apply to a specific quarantine (ex: unable to treat at site; uncertified plant material; no approved treatments).

## 6. Date Destroyed / Amount Destroyed:

Write in the actual destruction date(s) and check the appropriate box if it's the first visit or a subsequent visit.

Check the appropriate box for all plants being destroyed, or if it is a partial destruction. Explain why it is a partial destruction. (ex: not all plants were treated in the mandated timeframe, vehicle not large enough to transport all plant material at one time).

## 7. Description and number of items destroyed:

**Initial Visit:** Issue a Hold Notice. List plants by size and type on the Hold Notice and Destruction Form table. For a large inventory, continue on the back of the pages, or fill out a Nursery Stock Inventory List.

### **Follow-Up Visit:**

**Partial Destruction:** If a Hold Notice only, or Hold Notice and Nursery Stock Inventory List was previously issued; mark on the Hold Notice and Nursery Stock Inventory List which plants were destroyed. If no Hold Notice or Nursery Stock Inventory List was issued; list plants by size and type on the table. For a large inventory, continue on the back of the page or fill out a Nursery Stock Inventory List.

**Complete Destruction:** If a Hold Notice only, or Hold Notice and Nursery Stock Inventory List was previously issued, state on the Hold Notice and Nursery Stock Inventory List that all plant were destroyed. If no Hold Notice and/or Nursery Stock Inventory List was issued; list plants by size and type on the table. For a large inventory, continue on the back of the pages or fill out a Nursery Stock Inventory List.

## 8. Destruction Monitored by Agricultural Official:

**Dumpster:** All phases of the destruction process must be monitored to ensure compliance. If disposed of in the establishment's dumpster, the plants must first be rendered unmarketable by cutting them up, then double bagged before placing in the dumpster. When the soil poses a pest risk, it too must be double bagged and placed in the dumpster. For some pests, the plants can be placed on Hold and left to dry out on site before disposal.

**Landfill:** If disposed of in a landfill, the plants must be double bagged. Make appropriate arrangements to meet all approved disposal methods (ex: safeguarding while in transport, and deep burial with immediate coverage).

## 9. Person Contacted:

Fill out this section completely and print clearly to make sure it is legible.

## 10. Issuing Agricultural Official:

Fill out this section completely and print clearly to make sure it is legible.

## Nursery Stock Destruction Form

(Numbers in red correspond to Nursery Stock Destruction Form Instruction Sheet)

<sup>1</sup>Authority: California Food and Agricultural Code Sections:

5321-22, 5401, 5404, 5421, 5762-63, 6461.5, 6521, 6523-24

<sup>2</sup> ☐ Voluntary ☐ Mandatory ☐ Uncertified Shipment

<sup>3</sup> Establishment Type:

☐ Property Owner ☐ Landscaper ☐ Garden Center ☐ Retail ☐ Wholesale ☐ Production

<sup>4</sup> Establishment Name: \_\_\_\_\_ Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

County: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

<sup>5</sup> Reason for Destruction: State Interior or State Exterior Quarantine: \_\_\_\_\_

Federal Foreign or Federal Domestic Quarantine: \_\_\_\_\_

Other: \_\_\_\_\_

<sup>6</sup> Date Destroyed / Amount Destroyed:

Date: \_\_\_\_\_ ☐ Initial Visit ☐ Follow-Up Visit / ☐ All Plants Destroyed ☐ Partial Destruction

Partial Destruction Explanation: \_\_\_\_\_

<sup>7</sup> Description and Number of Items Destroyed (See Below or Attachment):

☐ Refer to Hold Notice (Attached) and/or ☐ Refer to Nursery Stock Inventory Check List (Attached)


<sup>8</sup> Destruction Monitored by Agricultural Officer:

☐ Rendered Unmarketable, double bagged and placed in establishment dumpster

☐ Double bagged and taken to landfill following project approved safeguarding methods

<sup>9</sup> Person Contacted		<sup>10</sup> Issuing Agricultural Official	
Name (print):		Name (print):	
Signature:		Signature:	
Title:		Title:	
Date:		Agency:	
		Phone:	
		Date:	